

REMARKS

This response and election is in response to the Office Action, dated March 25, 2009 ("Office Action"). Examination of the claims in view of the ensuing remarks is respectfully requested.

In the Office Action, Examiner required election among aspects of the claimed invention described in Groups I-VI under 35 U.S.C. §§121 and 372. The Groups are as follows:

- I. Claims 1, 3-8, 10-13 and 15-16: drawn to a cell carrying a recombinant adeno-associated viral ("rAAV") vector, a rAAV vector, or a composition comprising a rAAV vector comprising an exogenous gene encoding Apolipoprotein A-1, a derivative thereof, or a fragment thereof;
- II. Claims 1-16: drawn to a cell carrying a rAAV vector, a rAAV vector, or a composition comprising a rAAV vector comprising an exogenous gene encoding Apolipoprotein A-1_{Milano}, a derivative thereof, or a fragment thereof;
- III. Claims 17 and 19-27: drawn to a method of treating a condition in a mammal comprising providing a rAAV vector comprising an exogenous gene encoding Apolipoprotein A-1, a derivative thereof, or a fragment thereof;
- IV. Claims 17-28: drawn to a method of treating a condition in a mammal comprising providing a rAAV vector comprising an exogenous gene encoding Apolipoprotein A-1_{Milano}, a derivative thereof, or a fragment thereof;
- V. Claims 29-35: drawn to a process/method for the production of a rAAV vector wherein said first plasmid expresses an exogenous gene encoding Apolipoprotein A-1_{Milano}, a derivative thereof, or a fragment thereof, wherein the rAAV vector is targeted for delivery to a specific tissue type; and
- VI. Claims 29-35: drawn to a process/method for the production of a rAAV vector wherein said first plasmid expresses an exogenous gene encoding Apolipoprotein A-1, a derivative thereof, or a fragment thereof, wherein the rAAV vector is targeted for delivery to a specific tissue type.

Applicants hereby elect the embodiment of the instant invention described in **Group IV** (*i.e.*, a method of treating a condition in a mammal comprising providing a rAAV vector comprising an exogenous gene encoding Apolipoprotein A-1_{Milano}, a derivative thereof, or a fragment thereof) for prosecution on the merits. **Claims 17-28** encompass the elected invention. Applicants reserve the right to pursue the unelected subject matter in one or more divisional

applications.

All of the claims in the application are now believed to be allowable. Favorable consideration and a Notice of Allowance are earnestly solicited. If for any reason Examiner finds the application other than in condition for allowance, Examiner is requested to call either of the undersigned attorneys at the Los Angeles telephone number (213) 633-6800 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
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